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**CITY OF KELOWNA  
MEMORANDUM**

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**DATE:** August 8, 2007

**TO:** City Manager

**FROM:** Planning & Development Services Department

**APPLICATION NO.** TA07-0004      **APPLICANT:** Langley Development (Jim Langley)

**PURPOSE:** TO AMEND ZONING BYLAW 8000 TO PERMIT BED AND  
BREAKFASTS AS A SECONDARY USE IN THE RU3 – SMALL LOT  
HOUSING ZONE.

**REPORT PREPARED BY:** Alec Warrender

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**1.0    RECOMMENDATION**

THAT Zoning Bylaw Text Amendment No. TA07-0004 to amend City of Kelowna Zoning Bylaw No. 8000 as outlined in Schedule "A" of the report of the Planning & Development Services Department dated August 8, 2007 be considered by Council;

THAT Zoning Bylaw Text Amendment No. TA07-0004 be forwarded to a Public Hearing for further consideration;

**2.0    SUMMARY/DISCUSSION**

This application seeks to amend Section 13.3 of the Zoning Bylaw to address an issue that arose from a specific request of an applicant, which was to operate a Bed and Breakfast in the RU3 - Small Lot Housing zone. Due to the subject property's width, it was not well suited for the RU2 – Medium Lot Housing zone. Rather than rezoning the subject property, Staff felt it was more appropriate to amend the Zoning Bylaw. Although Bed and Breakfasts are permitted uses in the RU1 – Large Lot Housing and the RU2 – Medium Lot Housing zones they are not permitted in the RU3 – Small Lot Housing zone.

**3.0    ADVISORY PLANNING COMMISSION**

At a meeting held on July 31, 2007, the APC passed the following motion:

THAT the Advisory Planning Commission support Text Amendment Application No. TA07-0004, by Langley Developments (J. Langley), to amend the Zoning Bylaw No. 8000 to permit bed and breakfasts as a secondary use in the RU3-Small Housing zone.

**4.0    PLANNING AND DEVELOPMENT SERVICES DEPARTMENT**

This amendment is intended, under certain circumstances, to permit Bed and Breakfasts as a secondary use within the RU3 – Small Lot Housing zone. In order to operate a Bed and Breakfast in the RU3 – Small Lot Housing zone, vehicular access and parking (on-site) must be via a rear lane. This will ensure that any extra vehicular activity generated from this use will be diverted away from the street. The requirements for Bed and Breakfasts, as indicated in Section 9.6 of Zoning Bylaw No. 8000 will also regulate this use.

On the surface, we have no objection to the RU3 zone being accorded the same rights as other properties in the potential for bed and breakfast uses as long as any future proposed site can meet all of the requirements of the bed and breakfast use and parking regulations. Therefore it is recommended that the zoning amendment to add bed and breakfast homes to the list of permitted uses in the RU3 zone be supported.

We have concerns regarding the viability of such a use in a small home on a small lot in terms of number of sleeping units, and other requirements related to parking / private open space etc. Variances to any regulations in small lot situations will likely have impacts on adjoining properties. To that end, we should ensure that any such applications do not need variances to be viable. Given the small lot size, we should not support any variance to the regulations for this type of use in the RU3 zone.



Shelley Gambacort  
Current Planning Supervisor

DS/SG/aw

Approved for Inclusion



David L. Shipclark  
Acting Director of Planning & Development Services

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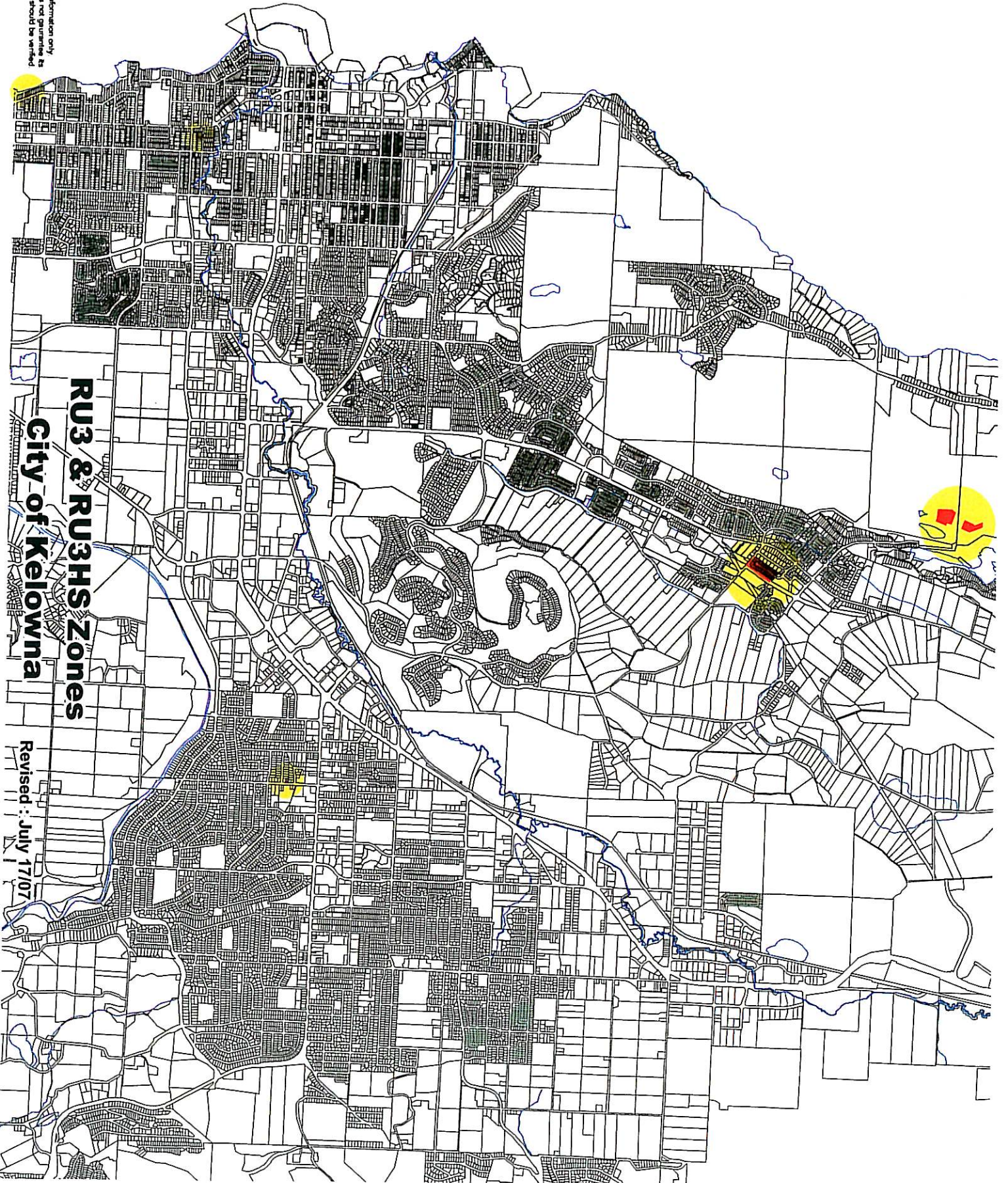
#### ATTACHMENTS

Schedule "A"  
Location Map: Properties with RU3 Zoning  
Zoning Bylaw No.8000 – Section 9.6 Bed & Breakfast Homes

**SCHEDULE “A”**  
**Text Amendment No. TA07-0004**  
**Re: RU3 – Small Lot Housing Zone**

<b>Proposed Amendments – Zoning Bylaw No. 8000</b>	
<b>Section</b>	<b>RU3 – Small Lot Housing</b>
13.3.3	Add Bed and Breakfast Homes as a Secondary Use
13.3.7	A bed and breakfast home is only permitted when vehicular access and parking are via a rear lane.

The map is for general information only.  
The City of Kelowna does not guarantee its  
accuracy. All information should be verified.



# **RU3 & RU3HS Zones**

## **City of Kelowna**

Revised : July 17/07

## 9.6 Bed and Breakfast Homes

9.6.1 Bed and breakfast homes shall comply with the following regulations:

BL8367 replaced subparagraph 9.6.1(a).

BL9120 added subparagraph 9.6.1(c) as follows:

- (a) The **bed and breakfast home** shall be operated as a secondary use only within the principal **building**, with a maximum 4 **sleeping units** with accommodation for a maximum of two guests per **sleeping unit**, of a minimum area of 11 m<sup>2</sup> each; and
- (b) Bed and breakfast homes shall not change the principal residential character or external appearance of the **dwelling** involved.
- (c) The licensed operator or a **bed and breakfast home** must reside in the **dwelling** in which the bed and breakfast operation is located.

9.6.2 One sign is permitted according to the provisions of Sign Bylaw No. 8235.

9.6.3 All **bed and breakfast homes** shall comply with the other provisions of this Bylaw, the BC **Building Code**, the **Agricultural Land Commission** General Order No. 1157/93 where applicable, and other fire and health regulations.

BL8820 added Paragraphs 9.6.4 and 9.6.5 as follows:

9.6.4 Parking areas and **open space** to be used by guests of a **bed and breakfast home** shall be oriented away from abutting development to minimize the impact of the operation on neighbouring properties.

9.6.5 All parking area and **open space** to be used by guests of a **bed and breakfast home** have to be visually screened from abutting properties by opaque fencing or landscaping.